

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

JOHN R. BAKER, JR.,)	
)	
Plaintiff,)	
)	
V.)	C.A. No.: 04-1457 KAJ
)	
TOWN OF SMYRNA, DAVID S. HUGG,)	
III, individually and in his)	
official capacity as Town)	
Manager, JOSEPH HEEGER,)	
individually and in his)	
official capacity as)	
Supervisor of Public Works,)	
and HARVEY LEGGETT,)	
individually and in his)	
official capacity as)	
Supervisor of Streets,)	
)	
Defendants.)	

RE-NOTICE OF DEPOSITION

TO: William D. Fletcher, Jr., Esquire
Noel E. Primos, Esquire
Schmittinger & Rodriguez, P.A.
414 South State Street
P.O. Box 497
Dover, DE 19903

PLEASE TAKE NOTICE that the undersigned attorney will take the oral deposition of Theopoles Banes at the offices of Schmittinger & Rodriguez, P.A., located at 414 South State Street, Dover DE 19901, on Tuesday, March 22, 2005, at 2:00 p.m.

AKIN & HERRON, P.A.

/s/ Bruce C. Herron
Bruce C. Herron, Esquire
Atty. I.D. No. 2315
1220 N. Market Street, #300
P.O. Box 25047
Wilmington, DE 19899
(302) 427-6987
Attorney for Defendants

Date: March 2, 2005